

Exhibit L

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

TRACY CAEKAERT, and
CAMILLIA Mapely,

Plaintiffs,

vs.

Case No. CV-20-52-BLG-SPW

WATCHTOWER BIBLE AND
TRACT SOCIETY OF NEW YORK,
INC., and WATCH TOWER BIBLE
AND TRACT SOCIETY OF
PENNSYLVANIA.

Defendants,

)

Expert Videotaped Deposition

In Person/Zoom Videoconference

Bradley Lovett

August 11, 2023

Reported By: Gidgette Nieves, CSR No. 10142
WORDS COURT REPORTING SERVICES, INC.
(844) 289-WORD(9673)
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10:41:25 1 Q Branch Organization?

10:41:27 2 A Yeah, we never -- we didn't follow -- we
10:41:30 3 weren't involved with that. It may be things from
10:41:33 4 it, may be repeated in other places. But none of
10:41:37 5 those were ever handed out to anybody that I know
10:41:40 6 of.

10:41:41 7 Q How about a circuit overseer. Did you
10:41:43 8 ever see that document, the Branch organization
10:41:50 9 Manual?

10:41:51 10 A No, we didn't get any of that.

10:41:54 11 Q Okay. Do you know who used that book, the
10:41:57 12 Branch Organization Manual?

10:42:00 13 A No.

10:42:03 14 Q Okay. I think we're probably done with
10:42:05 15 Exhibit 2 then.

10:42:39 16 MR. SHAFFER: Let's look at Tab 5, mark
10:42:43 17 Exhibit 5.

10:42:44 18 (Exhibit 5 marked for identification.)

10:42:44 19 BY MR. SHAFFER:

10:42:44 20 Q All right. This is a book I've mentioned
10:42:47 21 "Pay Attention to Yourself and all the Flock." Flip
10:42:51 22 to the third page. There you go. It says "Kingdom
10:43:01 23 Ministry School Textbook." Do you see that, Mr.
10:43:06 24 Lovett?

10:43:07 25 A Yes.

10:43:07 1 Q Is that in reference to the fact that this
10:43:10 2 is a sort of a book you have in an elder ministry
10:43:14 3 school?

10:43:15 4 A Yes.

10:43:16 5 Q Okay, in general. And go to the next
10:43:19 6 page. It says "Published by Watch Tower Bible and
10:43:23 7 Tract Society. This one is of New York, September
10:43:26 8 1977. I assume the fact that this one is from New
10:43:35 9 York and the previous one was published and
10:43:37 10 distributed by Watch Tower Bible and Tract Society
10:43:41 11 Pennsylvania. I -- I assume that didn't effect your
10:43:44 12 job at all as a circuit overseer teaching this
10:43:47 13 stuff, did it?

10:43:48 14 A I don't -- no, I don't believe so.

10:43:55 15 Q All right. So if we can look at this
10:43:59 16 page. You got there. Thank you. Bate's number
10:44:00 17 229, this is WTNY229. The top there's "To the
10:44:08 18 student." Who would the student be in this
10:44:12 19 course?

10:44:13 20 A Probably the elders I would think.

10:44:15 21 Q Okay. Pay Attention to Yourselves and All
10:44:18 22 the Flock is a continuation of the Kingdom of
10:44:23 23 Ministry school course. So it looks like this is
10:44:26 24 kind of an addition to, and you've kind of mentioned
10:44:29 25 this, this morning. You have abridgements or

10:44:31 1 additions to the Kingdom of School -- Kingdom

10:44:34 2 Ministry School coursebook. This would be one of

10:44:37 3 those -- looks like this would be one of those

10:44:40 4 additions to it; is that right?

10:44:42 5 A I don't know as you would say it's an
10:44:44 6 addition, but it would explain many things that have
10:44:49 7 already been taught or they would go back and deal
10:44:52 8 with that.

10:44:52 9 Q Okay. Is this a document, sir, that you
10:45:02 10 became familiar with as an elder and a circuit
10:45:05 11 overseer?

10:45:06 12 A Well you tried, uh-huh.

10:45:08 13 Q Okay. That's what the Watch Tower Society
10:45:11 14 wanted you to do, correct?

10:45:15 15 A Yes.

10:45:39 16 MR. SHAFFER: Okay. Number 6. Document
10:45:40 17 number 6.

10:45:43 18 (Exhibit Number 6 marked for identification.)

10:45:43 19 BY MR. SHAFFER:

10:45:43 20 Q Again, bottom right corner on the cover
10:45:45 21 page, Kingdom Ministry School Textbook, and it says
10:45:48 22 KS81. The next page Published by Watch Tower Bible
10:45:53 23 and Tract Society of New York. This one is 1981. I
10:46:04 24 forgot to mention that. This one starts -- if you
10:46:09 25 look at the table of content, sir, Bate's document

1 specifically. The elders would write about some
2 specifics and everything else and send that into the
3 Society.

4 Q And you said at some point in time
5 specific procedures for handling child sex abuse
6 came down from the branch of the Society, right?

7 A Yeah. Well, you -- yes, you'd see it.

8 Q Do you know why that was. Do you know why
9 specific procedures were handed down for child sex
10 abuse?

11 A Well I would assume to kind of standardize
12 it and give them some good guidance on what to do.
13 I don't know the first time it ever came up. There
14 was many of them. And it really wasn't established.
15 But we -- we couldn't find a lot on it. But we knew
16 that it was wicked and wrong. And you'd act on it
17 if you could and you'd use the scriptures you had.
18 And usually they were -- they were sufficient at
19 that time.

20 Q And you're talking the time before
21 specific procedures were handed out?

22 A Yeah. In the, oh, the 70s these things
23 kind of come out. As needed, they come out in these
24 letters. But usually it was to address a
25 specific.

12:35:24 1 Q Sure. That's part of the role of the
12:35:27 2 elder, isn't it, to check in on the flock like
12:35:29 3 that?

12:35:30 4 A Uh-huh.

12:35:31 5 Q That's a yes?

12:35:32 6 A Without -- yeah, without overdoing it and
12:35:36 7 just giving your best answer off the top of your
12:35:39 8 head. You want to have some basis for whatever you
12:35:45 9 -- you're saying, if at all possible.

12:35:48 10 MR. MCCABE: Excuse me. I'm just going to
12:35:50 11 stick my head out and ask for more air. I think
12:36:16 12 we're going to die in here pretty soon.

12:36:16 13 MR. SHAFFER: Sure.

12:36:16 14 MR. SWEENEY: The air conditioning works
12:36:19 15 pretty well in here.

12:36:19 16 MR. SHAFFER: Yeah, if we have AC that's
12:36:19 17 fine.

12:36:19 18 BY MR. SHAFFER:

12:36:19 19 Q And tell me as an elder what do you
12:36:21 20 have -- if someone comes to you and you're talking
12:36:23 21 to that person about their problem, you're maybe
12:36:27 22 reading some scripture to them. I assume it's
12:36:31 23 pretty important to keep that stuff confidential?

12:36:34 24 A Yes.

12:36:35 25 Q Okay. Do you tell anybody about it? Do

14:06:59 1 Q No. The reporting. I think we're talking
14:07:01 2 about the reporting now?

14:07:02 3 A Oh, the reporting. I'm not sure when that
14:07:06 4 took place.

14:07:07 5 Q Okay.

14:07:08 6 A But I know it came up and maybe it was one
14:07:11 7 of our schools or something.

14:07:13 8 Q All right. Are you aware that, I'm sure
14:07:16 9 you are, that Jehovah's Witness church has a
14:07:22 10 confidentiality policy?

14:07:23 11 A Uh-huh.

14:07:24 12 Q Comes from scripture?

14:07:27 13 A Huh.

14:07:27 14 Q Is that right?

14:07:28 15 A Yes. I don't know what you -- what you
14:07:30 16 mean as far as -- as far as that goes.

14:07:33 17 Q You don't talk about --

14:07:34 18 A Explain it to me.

14:07:35 19 Q Yeah. You don't talk about things that
14:07:37 20 you've learned about other people, right?

14:07:40 21 A True.

14:07:41 22 Q That's important?

14:07:42 23 A Pardon.

14:07:43 24 Q That's important to not talk about things
14:07:46 25 you've learned about other people, you agree?

14:07:48 1 A That's true.

14:07:49 2 Q And that's a policy that comes right from
14:07:51 3 scripture?

14:07:52 4 A Yes. You're not gossiping about them or
14:07:55 5 telling things that are untrue.

14:08:10 6 Q Has that been the policy ever since you've
14:08:14 7 been a part of the church?

14:08:17 8 MR. MCCABE: What policy, I'm sorry?

14:08:19 9 BY MR. SHAFFER:

14:08:19 10 Q Confidentiality policy of not talking
14:08:22 11 about what you learn about other people?

14:08:23 12 MR. TAYLOR: Just object to the form
14:08:24 13 of term -- form of the question, and the term
14:08:25 14 "policy." If it's a principle found in the Bible,
14:08:29 15 they might follow it.

14:08:31 16 BY MR. SHAFFER:

14:08:31 17 Q Has that been the same throughout your
14:08:34 18 experience in Jehovah's Witness church,
14:08:36 19 Mr. Lovett?

14:08:38 20 A Yes.

14:08:45 21 Q Okay. And like any sin I assume that's --
14:08:47 22 you have to answer to God if you were to violate
14:08:49 23 that policy, that rule, that scripture --

14:08:53 24 A Uh-huh.

14:08:53 25 Q -- is that fair?

14:08:55 1 A Up to us to make -- to retain
14:09:00 2 confidentiality.

14:09:01 3 Q And if you don't do that you have to
14:09:02 4 answer to got at some point in time; is that fair?

14:09:05 5 A Well, he would be aware of what -- what
14:09:09 6 you've done if you've done that sort of thing and
14:09:12 7 that's all.

14:09:13 8 Q And so if you've learned that a person has
14:09:16 9 been sexually abused or that a person has sexually
14:09:20 10 abused a young girl, let's put it that way. You've
14:09:22 11 learned that a member sexually abused a young girl,
14:09:25 12 you've got an obligation to keep that confidential,
14:09:28 13 what that person has done?

14:09:30 14 MR. TAYLOR: Objection to the form of the
14:09:32 15 question. Poses an incomplete hypothetical for
14:09:35 16 which this individual has already said he's never
14:09:38 17 participated in any type of hearing about that.
14:09:40 18 BY MR. SHAFFER:

14:09:40 19 Q Talking about the application of the
14:09:42 20 confidentiality policy that you said has been the
14:09:44 21 same throughout your --

14:09:47 22 A Well, we've always been talking to keep it
14:09:49 23 confident, and we don't discuss it with anyone.

14:09:53 24 Q So someone -- you learned that somebody
14:09:54 25 steals a car, a member of the church steals a car.

14:09:58 1 You have an obligation to keep that confidential,
14:10:01 2 right?

14:10:02 3 A Yes --

14:10:04 4 MR. TAYLOR: Objection. Objection again
14:10:04 5 to the form of the question. If he learns of this
14:10:07 6 communication in a confidential setting in a
14:10:10 7 judicial committee, he might have certain
14:10:13 8 obligations. If he observed someone as a witness
14:10:16 9 stealing a car, just as a particular person, he
14:10:19 10 might have different obligations. The hypothetical
14:10:23 11 is incomplete.

14:10:26 12 BY MR. SHAFFER:

14:10:26 13 Q You learned that so and so steals a car in
14:10:29 14 your role as an elder, you're not supposed to gossip
14:10:33 15 about that, are you?

14:10:35 16 A No.

14:10:35 17 MR. MCCABE: Objection as to the
14:10:37 18 incomplete hypothetical. So and so member of the
14:10:41 19 congregation or are they just a passerby?

14:10:44 20 BY MR. SHAFFER:

14:10:44 21 Q Okay. You learn that a member of the
14:10:46 22 congregation hurts his wife, physical abuse, you're
14:10:50 23 not supposed to gossip about that, are you?

14:10:54 24 A Well, depending on the situation. We
14:10:56 25 would take it to the elders and depending on how

14:11:01 1 extreme it was and whatever sometimes it's -- these
14:11:06 2 are misunderstanding or it's not a judicial
14:11:10 3 matter.

14:11:11 4 Q So the elders might discuss it amongst
14:11:14 5 themselves?

14:11:16 6 A Well on these issues where you're trying
14:11:18 7 to form a committee or trying to help them in some
14:11:22 8 way that would, they can do that, they can discuss
14:11:23 9 it, but they have to keep it among themselves.

14:11:27 10 Q The elders do?

14:11:28 11 A Yeah. They can't spread it around.

14:11:31 12 Q And so the elders would be held to that
14:11:34 13 confidentiality policy on that subject matter?

14:11:39 14 A Yes, yes.

14:11:52 15 Q Same rule applies to -- let's say you
14:11:55 16 learned that again as your time as an elder you
14:11:59 17 learned that somebody sexually abused a young girl,
14:12:02 18 a member of the congregation has abused a young
14:12:06 19 girl, confidentiality policy would require you to
14:12:10 20 keep that confidential, correct?

14:12:12 21 MR. MCCABE: Objection; incomplete
14:12:15 22 hypothetical; asked and answered.

14:12:17 23 BY MR. SHAFFER:

14:12:17 24 Q You can share it with other elders if you
14:12:20 25 learn that a -- let's say you learned that an elder

14:12:22 1 has sexually abused a girl in the congregation. Who
14:12:28 2 could you share that information without violating
14:12:29 3 the confidentiality policy?

14:12:33 4 A The elders themselves would -- would hear
14:12:36 5 of it and do it and then try to determine the
14:12:36 6 legitimacy. And then if they need to form a
14:12:40 7 committee that's fine. If they need to tell the
14:12:44 8 officials, they -- they have to do that too.

14:12:46 9 Q If sharing outside of the elders, that
14:12:48 10 would be prohibited by the confidentiality policy,
14:12:53 11 correct?

14:12:55 12 MR. MCCABE: Objection; incomplete
14:12:58 13 hypothetical. Vague as to time.

14:12:59 14 BY MR. SHAFFER:

14:12:59 15 Q Go ahead. You can answer.

14:13:00 16 The elders themselves can discuss it but
14:13:02 17 they couldn't share it outside the group of elders,
14:13:05 18 correct?

14:13:05 19 MR. MCCABE: Objection; same objection;
14:13:07 20 it's an incomplete hypothetical; it's vague as to
14:13:10 21 time.

14:13:13 22 BY MR. SHAFFER:

14:13:13 23 Q Go ahead, Mr. Lovett.

14:13:14 24 A I'm just trying to calculate this. But
14:13:19 25 normally we don't talk to anyone outside. Let's

1 say, you do -- it becomes a judicial matter, you
2 don't tell even the other -- the other elders. It's
3 kept between yourself --

4 Q Right.

5 A -- and the other -- other two guys.

6 Q And you certainly wouldn't tell the other
7 publishers in the congregation?

8 A No.

9 Q And so you wouldn't tell the rest of the
10 congregation that maybe there's an admitted child
11 molester in the congregation, would you?

12 MR. MCCABE: Objection; incomplete
13 hypothetical; it's vague as to time. You're asking
14 him to speculate. He's never dealt with such a
15 thing.

16 BY MR. SHAFFER:

17 Q Go ahead, Mr. Lovett.

18 A Ditto. There's -- as I've said, I have
19 not dealt with anything with that in particular.

20 Q Right. I'm asking you to apply the
21 confidentiality policy just like you said. You said
22 even -- even served elders in a congregation
23 wouldn't know what the results of a judicial
24 committee was, correct?

25 A Yeah. Well, it isn't even that. The --

14:14:29 1 when it's reported, then the brothers would try to
14:14:34 2 determine how serious it was, especially on a matter
14:14:37 3 like that. And -- and then they form their
14:14:43 4 committee. But you don't go talking about it --

14:14:46 5 Q Right.

14:14:47 6 A -- with anybody. And of course you inform
14:14:50 7 the Society. And then you -- they'll determine if
14:14:55 8 they're going to be able to do anything about it or
14:14:58 9 if there's enough evidence, that sort of thing.

14:15:01 10 Q You were talking about, and this is your
14:15:03 11 testimony, is that if there's a committee that's
14:15:05 12 form and they come to a conclusion about something
14:15:07 13 or a member confesses to a committee about an act of
14:15:12 14 wrongdoing, I think your testimony is that only --
14:15:14 15 only the elders in that committee would know about
14:15:17 16 that, correct?

14:15:18 17 A Uh-huh, that's correct.

14:15:19 18 MR. MCCABE: Objection; incomplete
14:15:22 19 hypothetical; and misstate his testimony.

14:15:23 20 BY MR. SHAFFER:

14:15:23 21 Q Did I misstate your testimony at all, Mr.
14:15:26 22 Lovett?

14:15:27 23 A Run it back.

14:15:27 24 Q Yeah. There's a judicial committee forum
14:15:28 25 that determines somebody acted wrong. Only the

14:15:31 1 elders in that committee would know about that,
14:15:33 2 correct?

14:15:34 3 A That's the -- that-- that's the normal
14:15:37 4 procedure.

14:15:37 5 Q Okay. Nobody else would --

14:15:38 6 A I'm just acting from my own experience
14:15:40 7 from what I've seen.

14:15:41 8 Q I understand, that's all I'm asking. All
14:15:43 9 I want you to do is give me your testimony based on
14:15:45 10 your experience. Which is like 30 years as a
14:15:49 11 circuit overseer, correct?

14:15:52 12 A Yes.

14:15:53 13 Q All right. Are you -- as a circuit
14:15:58 14 overseer are you an elder -- or excuse me. Are you
14:16:02 15 a member of the clergy?

14:16:04 16 A No.

14:16:04 17 Q Do they consider circuit overseers
14:16:08 18 elders?

14:16:08 19 A Yes.

14:16:09 20 Q So you've been an elder, your an elder
14:16:12 21 today?

14:16:13 22 A Yes.

14:16:14 23 Q All right. That's all I'm asking. Is
14:16:20 24 your experience based as an elder -- as an elder
14:16:23 25 for, and then I might be wrong here, over 40 years

14:16:27 1 is that right?

14:16:28 2 A Yeah, an elder, yeah.

14:16:30 3 Q All right. That's a lot of experience as
14:16:32 4 an elder in the Jehovah's Witness church, isn't
14:16:37 5 it?

14:16:37 6 A Well it is. There are so many of these
14:16:41 7 things you don't deal with on a regular basis and
14:16:45 8 sometimes never.

14:16:47 9 Q Confidentiality you deal with that
14:16:48 10 probably quite often?

14:16:51 11 A Uh-huh. Yes.

14:17:15 12 Q In your 40 or 50 years as an elder, are
14:17:19 13 you ever aware of a situation where a judicial
14:17:22 14 committee comes to a conclusion that someone has
14:17:26 15 committed a wrong and that that was announced -- the
14:17:29 16 specifics of what that person did was announced to
14:17:33 17 the congregation?

14:17:35 18 A No. I'm thinking. I can't recall anyone
14:17:44 19 ever getting explicit.

14:17:46 20 Q It's usually pretty vague. Like so and so
14:17:50 21 didn't take care of his family appropriately. Or
14:17:53 22 got too acquainted with a -- with a young girl, or
14:17:57 23 something like that, right?

14:17:58 24 A You don't -- you don't use that
14:17:59 25 description either. They've been reprov'd or

1 something like that, but you don't get into
2 details.

3 Q Okay. The details are confidential,
4 right?

5 A Suppose to be, yeah.

6 MR. SHAFFER: Okay. I think I'm almost
7 done so let's take five minutes.

8 VIDEOGRAPHER: We're now going off the
9 record. The time is 2:18 p.m.

10 (Recess taken.)

11 VIDEOGRAPHER: We are now going back on
12 the record. The time is 2:39 p.m.

13 BY MR. SHAFFER:

14 Q Mr. Lovett, we've talked a little bit
15 about situations that can result in a judicial
16 committee about a confession --

17 MR. TAYLOR: Is it possible to turn the
18 Zoom video back on?

19 COURT REPORTER: Oh, I thought I did.

20 All right. Here you go.

21 MR. TAYLOR: Thank you kindly.

22 BY MR. SHAFFER:

23 Q Confession is one circumstance where a
24 judicial committee would be formed, two or more
25 witnesses, correct?

14:39:55 1 A Uh-huh, yes.

14:39:56 2 Q Okay. And we've talked a little bit about
14:39:58 3 situations where one might not be formed where you
14:40:02 4 just have one witness or you've got a young girl
14:40:06 5 who's a witness, that might not be as credible as
14:40:10 6 adult witness, correct?

14:40:12 7 A Yes.

14:40:14 8 Q Okay. What about where -- and I know this
14:40:16 9 is maybe going to back to the '70s and '80s. But in
14:40:21 10 the '70s and '80s my understanding was that an
14:40:22 11 accuser of wrongdoing is part of the process should
14:40:29 12 confront the person they've accused of a wrongdoing.
14:40:34 13 Do you recall that?

14:40:35 14 A Uh-huh, Yes.

14:40:36 15 Q And if you don't do that, if you're an
14:40:38 16 accuser and you don't confront the accused is that a
14:40:42 17 situation where that might not be as credible of a
14:40:46 18 report when the accuser is not willing to confront
14:40:49 19 the accused?

14:40:51 20 MR. MCCABE: Are you talking in general or
14:40:53 21 you just specifically about child abuse cases?

14:40:56 22 MR. SHAFFER: I'm talking about wrongdoing
14:40:57 23 in general --

14:40:59 24 MR. MCCABE: Okay, thank you.

14:41:00 25 BY MR. SHAFFER:

14:41:00 1 Q -- in the 70s and 80s. I see a bunch of
14:41:02 2 documents from the Hardin congregation talking about
14:41:07 3 some of the sex abuse that was happening. And they
14:41:07 4 say, well so and so wouldn't -- wouldn't confront
14:41:09 5 their -- the person they accused of it.

14:41:11 6 A Uh-huh.

14:41:11 7 Q And they're supposed to, right.

14:41:14 8 A Sure.

14:41:14 9 Q They're supposed to confront the person
14:41:17 10 they're accusing of wrongdoing?

14:41:20 11 A They, yes, but not in the case of child
14:41:22 12 abuse and things like that.

14:41:24 13 Q Then I know sometime in 2000 that changed
14:41:28 14 and there's a policy now where victims of child sex
14:41:31 15 abuse are not supposed to confront the person that
14:41:33 16 did it, right?

14:41:35 17 A Uh-huh, yes.

14:41:36 18 Q But prior to that 70s, if the victim of --
14:41:39 19 let's just say it's theft. If the person who says
14:41:42 20 that Jack stole from me, if they don't confront Jack
14:41:46 21 that suggests that that report might not be
14:41:49 22 credible, correct?

14:41:50 23 A I don't know about that as to what they --
14:41:54 24 what they would think. It depends on -- on what it
14:41:57 25 is.

14:41:58 1 Q Okay. You've been on judicial committees
14:42:03 2 and you're an elder. Did you understand accusers
14:42:06 3 are supposed to confront the accused?

14:42:10 4 A Well, you would in many circumstances.

14:42:11 5 Q Okay. What are the circumstances where
14:42:14 6 you wouldn't?

14:42:16 7 A Well if it was a --

14:42:17 8 Q I'm talking about the 1970s.

14:42:20 9 A Uh-huh, I'm trying to think back on what
14:42:24 10 the -- the situation was. When it -- when it comes
14:42:28 11 to normal -- when I say normal crimes, you know, et
14:42:36 12 cetera, et cetera, there had been -- there been some
14:42:38 13 changes on that but I can't remember.

14:42:40 14 Q I'm not asking about changes. I'm asking
14:42:43 15 in the 1970s, 1980s, can you identify a situation
14:42:48 16 where the accuser was not supposed to confront the
14:42:51 17 person who's accused?

14:42:54 18 A On the case of -- of course with the
14:43:00 19 children. But I'm trying to think -- I know what I
14:43:04 20 want to say, I can't think of the -- of the word.
14:43:09 21 They have situations where they had committed
14:43:14 22 fornication and then you -- you don't send the girl
14:43:19 23 to go back and talk to the guy that may have raped
14:43:25 24 her or something like that. And that didn't workout
14:43:31 25 too good.

14:43:32 1 Q Okay. Was that in the 1970s where you
14:43:36 2 wouldn't have? 1980s? When was that?

14:43:39 3 A Well, I'm justify relating it to the 70s
14:43:42 4 but that's -- and --

14:43:45 5 Q Okay.

14:43:48 6 A I know right now I think that's --

14:43:57 7 You want me to wear that or not?

14:44:44 8 COURT REPORTER: Fix it.

14:44:44 9 BY MR. SHAFFER:

14:44:44 10 Q Are you saying in the 1970s there wasn't a
14:44:47 11 -- I don't know if it's a policy or a rule where the
14:44:49 12 accused should confront -- excuse me -- the accuser
14:44:53 13 should confront the accused?

14:44:55 14 A On, yeah, on certain things --

14:44:57 15 Q Okay.

14:44:58 16 A -- you were supposed to and you pretty
14:45:01 17 much had to, but --

14:45:03 18 Q And what things were -- in the 1970s, what
14:45:06 19 things were excluded from that policy of confronting
14:45:12 20 the person who is accused?

14:45:14 21 A Sexual things.

14:45:15 22 Q That's in the '70s?

14:45:17 23 A Yeah.

14:45:19 24 Q Okay.

14:45:22 25 A And some of that, you know, you don't know

15:05:28 1 people that weren't involved in that. But, I guess,
15:05:32 2 time -- time must have proved that to be a fact or
15:05:38 3 whatever. But I knew nothing about it.

15:05:45 4 Q So other than a lack of sinning, being a
15:05:48 5 nice person, what are the qualifications for being
15:05:52 6 an elder?

15:05:53 7 A Well, they're -- they're set forth in the
15:05:55 8 -- in the scriptures there.

15:05:56 9 Q I'm not asking what the scriptures say.
15:05:58 10 I'm asking you to tell me your understanding of what
15:06:02 11 qualifies --

15:06:02 12 MR. TAYLOR: Objection.

15:06:03 13 MR. MCKAY: Objection. He just stated
15:06:04 14 what his basis is for understanding the
15:06:06 15 qualifications of an elder laid out in the
15:06:08 16 scriptures. It's -- it's been asked and answered.

15:06:10 17 I'm going to instruct you to stick to the
15:06:12 18 Bible.

15:06:13 19 BY MR. SHAFFER:

15:06:13 20 Q Mr. Lovett, I just want your personal
15:06:15 21 position. Don't want to reference the scripture,
15:06:17 22 tell me in your words.

15:06:19 23 A But that is where it's found.

15:06:21 24 Q That's fine. Tell me what the scripture
15:06:25 25 says about it then?

15:06:27 1 MR. MCCABE: Objection.

15:06:28 2 BY MR. SHAFFER:

15:06:28 3 Q If you know.

15:06:28 4 MR. MCCABE: This isn't a memory test. If
15:06:28 5 you know, you can tell him. If you're not, you can
15:06:30 6 use your Bible.

15:06:31 7 BY MR. SHAFFER:

15:06:31 8 Q Yeah. Can you tell me in your view as a
15:06:33 9 circuit overseer for over 40 years, what makes
15:06:35 10 somebody a good elder?

15:06:41 11 A Well they have duties, they have
15:06:43 12 sherpheding, and other things. And like I say there
15:06:47 13 was no accusation or shortcoming that I knew of with
15:06:51 14 regard to him. But I wasn't --

15:06:53 15 MR. MCCABE: We're not talking about him.
15:06:55 16 We're asking for general elders qualifications. He
15:06:59 17 asked you what makes a good elder.

15:07:02 18 THE WITNESS: Uh-huh. What makes a good
15:07:04 19 elder.

15:07:05 20 MR. MCCABE: If you know, tell him. If
15:07:07 21 you don't know, you don't know.

15:07:11 22 THE WITNESS: That's a way broader
15:07:13 23 question. Just leave it at that. And scriptures
15:07:19 24 just lay it out and he has to meet those things and
15:07:23 25 be a participant in the congregation and be helpful

1 and do whatever job he's assigned to do, that's part
2 of it.

3 BY MR. SHAFFER:

4 Q Anything else that you need to do to be a
5 good elder?

6 A Just if you look at these scriptures you
7 can see it. And -- but other than that --

8 Q Okay. So as a circuit overseer how many
9 times have you recommended somebody for an
10 appointment as an elder?

11 A I don't know.

12 Q Hundreds?

13 A I truly don't know. That might -- might
14 been the case, you know.

15 Q And as part of your job as a circuit
16 overseer, right, is to send the S2 form -- I believe
17 that's what it is -- whatever form it is, where
18 there's an appointment or a deletion of elders. You
19 send that to the branch office?

20 A Uh-huh.

21 Q Right. That's part of your job?

22 A Uh-huh.

23 Q That's a yes?

24 A Yes.

25 Q You've been a circuit overseer for --

1 MR. MCCABE: I think you're badgering the
2 witness, Counsel.

3 BY MR. SHAFFER:

4 Q -- 30 years or so? How many times do you
5 estimate that you've recommended somebody to be an
6 elder?

7 A I don't know.

8 Q Okay.

9 A There were many times, you know.

10 Q Okay. That's what I want to know. Many.
11 Like you think over ten?

12 A Well they -- yes, way more than that.

13 Q Okay.

14 A But the local -- the local brothers
15 basically are the ones that are acquainted with
16 those things. So when you discuss them they will
17 chime in on that, you know, yes, he -- So they --
18 and then they'll all vote everyone will -- will do
19 that. And they have some pretty thorough
20 discussions about many, many, aspects of the work.
21 I mean, they'll spend hours on -- on the possible
22 qualifications, you know, discussing them as elders.
23 And I just -- I sit there and I listen to what they
24 have to say. And then if I -- if everybody agrees,
25 then we type the name in and then they sign it and

15:09:23 1 then I sign it.

15:09:26 2 Q So these discussions that you've just
15:09:29 3 testified that you were a part of what -- well
15:09:33 4 there's hours apparently of vetting these elders.
15:09:36 5 What are the qualifications that these elders are
15:09:39 6 talking about in those meetings? What are they
15:09:41 7 talking about brother so and so. He does this
15:09:44 8 excellent he should be -- he should be an elder?

15:09:46 9 A They're brought up one at a time. And
15:09:49 10 then they talk about -- if they qualify, you know,
15:09:52 11 they -- they discuss that.

15:09:53 12 Q But I want to know what -- these meetings
15:09:55 13 you say you were a part of where they're spending
15:09:58 14 hours talking about whether so and so -- whether
15:10:01 15 brother so and so should be an elder. What are the
15:10:04 16 things they're talking about? What -- what are the
15:10:06 17 qualities of these individuals that matter?

15:10:07 18 A They go in -- into the scripture
15:10:10 19 qualities, you know, as what you would read in 2nd
15:10:11 20 Timothy. So -- but -- and they discuss them
15:10:14 21 thoroughly.

15:10:15 22 Q I don't have a Bible in front of me. Can
15:10:17 23 you tell me what -- what are the qualities of 2nd
15:10:20 24 Timothy that matter for an elder?

15:10:22 25 (Intermittent talking.)

1 A I -- I don't have a Bible here either, but
2 I can tell you -- and then they also in our --

3 Q Hold on. Hold on, sorry.

4 You don't have a Bible. But you've been a
5 circuit overseer for 4 (phonetic) years and you
6 can't tell me what qualities you look for in an
7 elder?

8 A I actually --

9 MR. MCCABE: Objection; you're badgering
10 the witness. He's asked -- you've asked him the
11 question. He's answered the question. He's a 78
12 year old man sitting here after a long day of
13 deposition. He's got a wife with dementia. And
14 he's not slept in two weeks.

15 MR. SHAFFER: Yeah.

16 MR. MCKAY: And I think we're -- we're
17 getting to the point where you're really pushing the
18 buttons here.

19 BY MR. SHAFFER:

20 Q So I just want to know if you can tell me,
21 based on your experience, what specific qualities
22 you look for when you're recommending an elder?

23 A When we do that, we generally read the
24 qualifications. And then we also look into the
25 publications that have expanded on it. And then if

15:11:13 1 they measure up, then they vote on it.

15:11:17 2 Q If they measure up to what?

15:11:19 3 A To what the scriptures say.

15:11:21 4 Q Okay. And I understand it's been a long
15:11:23 5 day and you -- I appreciate you being here for as
15:11:27 6 long as you have. But it sounds like based on
15:11:31 7 what -- what this gentleman next to you is saying is
15:11:32 8 that you can't tell me what the scripture actually
15:11:35 9 says?

15:11:35 10 MR. MCCABE: Objection; characterizing
15:11:36 11 what I said is that he couldn't say what the
15:11:39 12 qualities are. I just said it's been a long day and
15:11:43 13 you're badgering the witness.

15:11:45 14 BY MR. SHAFFER:

15:11:45 15 Q So you don't know what the scripture
15:11:47 16 says?

15:11:48 17 A Well, I know what the scripture say.

15:11:49 18 Q Tell me. That's all I'm asking.

15:11:51 19 (Intermittent talking.)

15:11:51 20 A I've just -- I've got of kind of go back
15:11:52 21 through it. Mentally I didn't want to leave --
15:11:55 22 leave things out.

15:11:56 23 Q Yeah.

15:11:57 24 A And --

15:11:57 25 Q Tell me what comes to mind?

15:12:00 1 A What -- well, obviously you have to be,
15:12:02 2 you know, truthful, you can't be a liar, you can't
15:12:06 3 be doing those things. You look at these
15:12:11 4 qualifications that are laid right out there for
15:12:13 5 you. And then if the Society is expanded on it then
15:12:20 6 you might, you might work those things into
15:12:24 7 discussion. Many times it's pretty obvious the --
15:12:28 8 that certain things, you know, are met.

15:12:32 9 Q How do you determine if someone is
15:12:33 10 truthful or a liar when you're deciding whether to
15:12:38 11 recommend that person as an elder?

15:12:40 12 A Well, if they're telling the truth. You
15:12:44 13 know, you can't know if a person is -- is lying
15:12:46 14 about many things. Except you have their word, you
15:12:50 15 have their actions.

15:12:51 16 Q Do you talk to people around them and say,
15:12:53 17 hey, do you think this person be a good elder, has
15:12:57 18 this person been honest, has this person showed up
15:13:01 19 to their job on time, things like that?

15:13:04 20 A Well, generally you'll hear about
15:13:07 21 deficiencies.

15:13:08 22 Q Okay.

15:13:09 23 A And -- and just in general discussions.
15:13:11 24 But, you don't sit them down and grill them and all
15:13:15 25 that. They just have to measure these things. And

1 then if there's a question, you bring it up, and

2 then they respond with that.

3 Q Any more particulars you can offer me?

4 Any more particulars on the qualifications
5 other than whether they are a liar or not and what's
6 in the scripture?

7 A No. I -- if we have a Bible, we could
8 just read them.

9 Q Okay. We don't. Not off the top of my
10 head. Okay.

11 Sir, I don't feel like I'm badgering. Do
12 you feel like I'm badgering you?

13 MR. MCCABE: Question. You hear the
14 question.

15 THE WITNESS: Well, just a second. I got
16 to get this thing to shut off, flashlight.

17 MR. MCCABE: You tell Serie (sic) to shut
18 it off.

19 THE WITNESS: I don't think she speaks
20 English.

21 (Question read.)

22 A Well, possibly sort of, you know.

23 Q Well I apologize, that's not my intention
24 I'm just trying to understand what the
25 qualifications for elders are?